

Appl. No. 10/627,267
Amdt. Dated April 7, 2005
Reply to Office Action of November 9, 2004

• • R E M A R K S / A R G U M E N T S • •

The Official Action of November 9, 2004 has been thoroughly studied. Accordingly, the changes presented herein for the application, considered together with the following remarks, are believed to be sufficient to place the application into condition for allowance.

By the present amendment, independent claim 1 has been changed to recite "means for moving the second cylindrical member with respect to the first cylindrical member axially along the common central axis."

In a similar manner independent claim 19 has been changed to recite "means for moving the rotor with respect to the stator axially along the common central axis."

These changes to the independent claims are commensurate with the changes discussed with the Examiner at the April 5, 2005 personal interview discussed below.

In addition, non-elected claims 6-8 have been canceled without prejudice or disclaimer. Applicants reserve their right to seek patent protection on the subject matter of the canceled non-elected by filing and prosecuting one or more divisional patent applications during the pendency of the present application.

Applicants and their patent counsel would like to express their appreciation to Examiner Lam for granting them the opportunity to have a personal interview on April 5, 2005.

At the personal interview, inventor Lawrence Zepp demonstrated a cut-away prototype of a permanent magnetic electrical machine according to the present invention in the embodiment of

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a permanent magnetic motor in which the rotor, having the permanent magnets attached thereto, was axially movable with respect to the stator along the common axis of the device.

Inventor Zepp explained to the Examiner during the demonstration how the prototype device changes operation from higher torque to higher base speed as the rotor is moved axially with respect to the stator so as to disengage the permanent magnets from the coils.

Using the cut-away prototype device, inventor Zepp showed the position of the device with the rotator and stator fully engaged in which the highest torque and lowest base speed is obtained, and the position of the device with the rotator and stator minimally engaged in which the highest base speed and lowest torque are obtained.

Based on the demonstration, a proposed amendment to the claims was discussed with the Examiner in which applicants offered to amend the independent claims to recite either that the "means for moving" moved the second cylindrical member (the rotor in claim 19) with respect to the first cylindrical member (the stator in claim 19) "axially" or "linearly" along the common central axis.

This change to the independent claims was believed to distinguish over European Patent Application 0 337 032 to Sakurai et al. which teaches a rotor that is movable with respect to a stator "about" a common axis, but does not teach that the rotor is movable "linearly" or "axially" with respect to the stator along a common axis.

Examiner Lam suggested that applicants' use the term "axially" rather than "linearly" since the claims include reference to the central axis of the device.

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Claims 1-5 and 9-21 were rejected under 35 U.S.C. §102(b) as being anticipated by Sakurai et al.

It is believed that the amendments made herein to the claims distinguish applicants' invention over Sakurai et al. and place the application into condition for allowance.

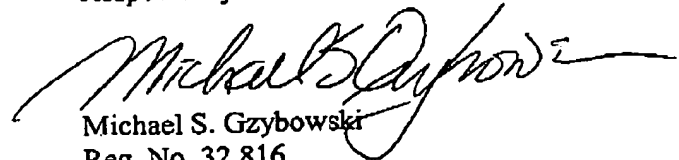
Entry of the present amendment and an early allowance of the application are earnestly requested.

It is believed that the above represents a complete response to the outstanding Office Action and a full summary of the personal interview of April 5, 2005.

Once again, applicants and their patent counsel would like to express their appreciation to Examiner Lam for granting them the opportunity to have a personal interview on April 5, 2005.

To the extent necessary, a petition for an extension of time under 37 CFR §1.136 is hereby made. Please charge the fee due in connection with the filing of this paper, including extension of time fees, to Deposit Account No. 12-2136 and please credit any excess fees to such deposit account.

Respectfully submitted,


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